

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-11, 13, and 15-28 were pending in the application, of which Claims 1, 11, 18, 19, 21, and 22 are independent. Claims 12 and 14 were previously canceled without prejudice of disclaimer. In the Office Action dated October 6, 2004, Claims 1-11, 13, and 15-28 were rejected under 35 U.S.C. §103(a), Claim 10 was rejected under 35 U.S.C. §103(a), and information was required under 37 C.F.R. § 1.105. Following this response, Claims 1-11, 13, and 15-28 remain in this application. Applicants hereby address the Examiner's requirement and rejections in turn.

I. Requirement Under 37 CFR § 1.105

In the Office Action dated October 6, 2004, the Examiner required Applicants under 37 CFR § 1.105 to "provide copies of patents, which share a common assignee and relate to the art at hand." (See Office Action page 2, lines 4-5.) Applicants respectfully submit the attached patents to fulfill this requirement. Copies of the U.S. patent publications are not enclosed.

II. Rejection of Claims 1-11, 13, and 15-28 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Claims 1-11, 13, and 15-28 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 6,213,652 ("*Suzuki*") in view of what the Examiner alleges to be Applicant's Admitted Prior Art ("AAPA") and further in view of U.S. Patent No. 5,669,040 ("*Hisatake*"). Applicants respectfully traverses this

rejection. Claims 1, 11, 18, and 19 have been amended to place them in better form for consideration. Applicants respectfully submit that the amendments add no new matter.

Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “independently of the remaining plurality of jobs in response to a predetermined event.” Claims 11, 18, 19, 21, and 22 each include a similar recitation.

In contrast, *Suzuki* at least does not teach or suggest the aforementioned recitation. For example, *Suzuki* discloses a pausing section 312e. (See Fig. 34.) Pausing section 312e merely accepts a pause command and a job state control section 330a checks whether or not the job is being printed or is waiting for printing. (See col. 50, lines 10-13.) In *Suzuki*, a pause section that executes one of a plurality of jobs satisfying a pause condition paused independently of the remaining plurality of jobs in response to a predetermined event is not disclosed. *Suzuki* does not disclose or suggest pausing independently of any remaining jobs in response to a predetermined event. Furthermore, and as admitted by the Examiner, neither the alleged *AAPA* nor *Hisatake* (individually or in combination) overcome *Suzuki*’s deficiencies.

Moreover, regarding Claims 11, 21, and 22, the Examiner points out that *Suzuki*’s disclosure of “waiting to receive a pause command from a user” corresponds to a storage section that stores a first condition satisfied by a job which is stopped without any restriction in response to a predetermined event recited, for example, in Claim 11. However, Applicants respectfully submit that pausing a job is different from stopping a job.

Also, the Examiner states that “*Suzuki* does not disclose a second condition satisfied by a job which pauses in response to the predetermined event.” (See page 7,

section 29 in the Office Action). However, the Examiner states that “*Suzuki* teaches a job execution control apparatus comprising: ... a pause section that makes an execution of at least one of the plurality of jobs satisfying the second condition pause in response to the predetermined event.” (See page 7, section 26 in the Office Action.) Applicants respectfully submit that these two Examiner’s statements contradict each other. For example, if *Suzuki* does not teach the second condition, *Suzuki* also does not disclose the pause section. Furthermore, Claims 1, 18, and 19 each recite “a setting section that allows a user to set a pause condition of a job.” Applicants respectfully submit that *Suzuki* does not mention how a user sets a pause condition of a job.

In short, combining *Suzuki* with the alleged *AAPA* and *Hisatake* would not have led to the claimed invention because combining *Suzuki* with the alleged *AAPA* and *Hisatake*, either individually or in any reasonable combination, at least do not disclose or suggest “independently of the remaining plurality of jobs in response to a predetermined event”, as recited by Claim 1. Independent Claims 1, 11, 18, 19, 21, and 22 each include a similar recitation. Accordingly, independent Claims 11, 18, 19, 21, and 22 patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 11, 18, 19, 21, and 22.

Dependent Claims 2-10, 13, 15-17, 20, and 23-28 are also allowable at least for the reasons described above regarding independent Claims 1, 11, 18-19, and 21-22, and by virtue of their respective dependencies upon independent Claims 1, 11, 18-19, and 21-22. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-10, 13, 15-17, 20, and 23-28.

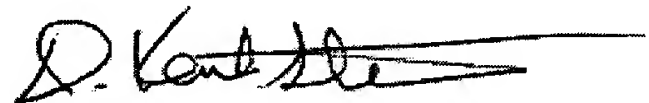
III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: February 7, 2005

By: \_\_\_\_\_

D. Kent Stier  
Reg. No. 50,640  
(404) 653-6559

Attachments:

JP-A-Hei. 8-286895  
US 2004/0008363 A  
U.S. Patent No. 6,606,163  
EP 0 738 957  
JP-A-Hei. 9-212325  
U.S. Patent No. 5,907,410  
JP-A-Hei. 7-303163